

Permits and Licensing for Schools

Introduction

This document is offered to provide guidance to school officials as a result of the adoption of Act 628 of 2002, which amended 1937 PA 306. This amendatory act requires that all school buildings comply with the provisions of the Stille-DeRossett-Hale Single State Construction Code Act.

Since the enactment of these amendments, several questions have been posed regarding what work may be performed in school buildings by non-licensed persons and without permits. This document will clarify this matter and set forth examples of work that may be performed by non-licensed persons and without the benefit of permits.

It is important to understand the basis for licensing before exceptions to the requirements are discussed. Most licensing laws are developed and adopted to ensure practitioners are equipped with the skills and training necessary to conduct installations of the respective building components for compliance with the codes and thereby providing for a safe built environment.

Permits are required for certain work to provide a basis for determining that the work performed ensures the safety of building occupants from hazards.

Michigan codes are based on nationally developed standards that offer minimum requirements for safety from various hazards in the built environment including safety from fire, structural failure, electrical shock, contamination of potable water systems, cross connections of water supply systems and waste disposal systems, and contamination of building environmental air. Additionally, codes provide safe egress, access for persons with mobility limitations, and proper lighting.

Licensing

Specifically, the licensing laws regulating the conduct of persons performing work on buildings and structures include the following:

- Electrical Administrative 1956 PA 217
- Forbes Mechanical Contractors 1984 PA 192
- State Plumbing Act, 2002 PA733
- Boiler Act of 1965, 1965 PA 290
- Elevator Safety Act, 1967 PA 227

Each of these Acts provides for the licensure of technicians and/or contractors and prescribes minimum qualifications for the various licensing categories. Individuals who qualify for licensing receive a license from the Department of Consumer and Industry Services. Persons seeking licensing status under the various laws must register as an apprentice for a prescribed period of time under the respective laws before taking the licensing examination.

Typically, an individual who performs construction work must be licensed. Certain exceptions are made available in the respective licensing laws; however, these exceptions are varied and limited in scope and must be reviewed in specific detail to understand the limitations of the exceptions. These laws do exempt maintenance work to varying degrees. Again, each law has specific limitations on work that may be performed without the benefit of licensing.

The following provides a capsule summary of the licensing exemptions. Each of the respective laws should be reviewed in detail for a complete explanation of the exceptions.

- Electrical
 - Minor repair work not in excess of a valuation of \$100.00.
- Mechanical
 - The Forbes Mechanical Contractors Act provides that an entity that regularly performs installations, alterations, or servicing of work under classifications provided within the Act, may designate a holder of a contractor's license as the contractor of record.
 - This law does not contain journey-level licensing requirements
- Plumbing
 - Minor repairs that involve only the clearance of stoppages, repair, or replacement of faucet, valve, reinstallation of that same plumbing fixture provided no modifications are made to the plumbing system.
- Boiler
 - An individual in the employ of a licensee (contractor) is not required to be licensed.
- Elevator
 - A contractor license is not required for entities maintaining elevators in their own premises providing the elevator is not used by the general public and that the work is performed by a permanent employee, who is licensed as a licensed elevator journey person.

Permits

Each code prescribes when permits are required. This excerpt discusses only permits for building, electrical, mechanical and plumbing systems regulated under the Stille-DeRossett-Hale Single State Construction Code Act. For the permit requirements for boiler and elevator installations and repairs, please refer to the specific code provisions.

Annual Permits

Annual permits may be issued to a facility based on the provisions within the Michigan Building Code.

105.1.1 Annual permit.

In place of an individual permit for each alteration to an already approved electrical, gas, mechanical, or plumbing installation, the enforcing agency is authorized to issue an annual permit upon application therefore to any person, firm, or corporation. The applicant shall be licensed in accordance with the requirements of 1956 PA 217, MCL 338.881 et seq., 1984 PA 192, MCL 338.971 et seq., or 2002 PA 733, MCL 338.3511 et seq.

Individual Permits

Permits may be secured for individual projects as prescribed in the various codes. Each of the codes provides for exceptions for minor work. Following, in each subcategory are examples of minor work, which would not require a permit.

Electrical

90-12 Permits and certificates

A person shall not equip a building with electrical conductors or equipment or make an alteration of, change in, or addition to, electrical conductors or equipment without receiving a written permit to do the work described. If the electrical installation or alterations of, changes in, or addition to, electrical conductors or equipment are found to be in compliance with the provision of the code and if the work has passed the inspection of the enforcing agency, then the enforcing agency shall, upon request of the permit holder to whom the permit was issued, issue a certificate of final inspection. The certificate certifies that the provisions of the code have been complied with. This section does not apply to installations that are referenced to in section 7(3)(a), (b), (c) (d), (e), (f), (h), (k), (l), or (n) of 1956, PA 217, MCLA §338.887 (3)(a), (b), (c), (d), (e), (f), (h), (k), (l), or (n).

Minor repairs as defined as:

105.2(b)(i) Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. (MBC)

Other examples of work that would not require a permit provided the cost of the repair is less than \$100.00 includes:

- Replacement of an electrical switch
- Replacement of an electrical lighting fixture
- Replacement of a part within a permanently installed electrical appliance or appurtenance

Mechanical

The Mechanical Code has an exhaustive list of work that may be performed without a permit.

106.1 Permits required.

An owner, or contractor licensed pursuant to 1984 PA 192, MCL 338.971 et seq. who desires to erect, install, enlarge, alter, repair, remove, convert, or replace a mechanical system, the installation of which is regulated by this code, or to cause such work to be done, shall first make application in accordance with the requirements of section 10 of the act.

106.2 Permits not required.

A person is not required to obtain a permit to perform mechanical work on any of the following items:

- (a) A portable heating or gas appliance.
- (b) Portable ventilation equipment.
- (c) A portable cooling unit.
- (d) A minor part that is replaced if the replacement does not affect equipment approval or make it unsafe.
- (e) A portable evaporative cooler.
- (f) Self-contained refrigeration equipment and a window-type air conditioner that is not more than 1.5 horsepower.
- (g) A boiler or pressure vessel for which a permit is required by sections 17 and 18 of 1965 PA 290, MCL 408.767 and 408.768.
- (h) An oil burner that does not require connection to a flue, such as an oil stove and a heater equipped with a wick.

- (i) A portable gas burner that has inputs of less than 30,000 Btu's per hour.
- (j) Gas piping limited to 10 feet (3048 mm) in length and not more than 6 fittings.

Plumbing

106.1 When required.

Any owner, authorized agent or contractor who desires to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the code official and obtain the required permit for the work.

106.2 Exempt work.

The following work shall be exempt from the requirement for a permit:

1. The stopping of leaks in drains, water, soil, waste or vent pipe provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Minor repairs are defined as:

(e) "Minor repair" means a repair which involves only the clearance of stoppages, repair, or replacement of a faucet, valve, reinstallation of that same plumbing fixture provided that no modifications are made to the plumbing system, or residential domestic water treatment and filtering equipment. Minor repair does not include any of the following:

- (i) The repair or replacement of a backflow preventer and air admittance valves.
- (ii) A repair or replacement that is only a part of a larger or major renovation or repair.

Other examples of plumbing work that does not require a permit include:

- Replacement of a sink, where the work to reconnect the sink to existing piping and does not require modification of the existing piping system.
- Replacement of a broken water closet, lavatory or urinal, where the work to reconnect the sink to existing piping or does not require modification of the existing piping system.

Emergency Repairs

Emergency Repairs may be performed provided the Bureau is notified of the repair the following business day. Section 105.2.1 of the MBC code provides:

Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official.

Questions regarding the application of the licensing program or when permits are required may be directed to the appropriate Division within the Bureau by calling:

Boiler Division	517/241-9334
Building Division	517/241-9317
Electrical Division	517/241-9320
Elevator Division	517/241-9337
Mechanical Division	517/241-9325
Plumbing Division	517/241-9330